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UNITED STATES BANKRUPTCY COURT

SOUTHERN DISTRICT OF CALIFORNIA

325 West "F" Street, San Diego, California 92101-6991



In Re

Stephanie K. Buttici and Jim R. Arias

BANKRUPTCY NO. 10-06088-PB7

Debtor.

The Bank of New York Mellon, fka The Bank of New York as Successor in interest to JP Morgan Chase Bank NA as Trustee
for Structured Asset Mortgage Investments II Inc. Bear Stearns ALT-A Trust 2005-3, Mortgage Pass-Through Certificates,
Series 2005-3

RS NO. PD-1

Moving Party

Stephanie K. Buttici and Jim R. Arias

Leslie T. Gladstone

Chapter 7 Trustee

et al.

Respondent (s)

ORDER ON NONCONTESTED MOTION FOR RELIEF FROM AUTOMATIC STAY

☒ REAL PROPERTY ☐ PERSONAL PROPERTY

IT IS ORDERED THAT the relief sought as set forth on the continuation pages attached and numbered two (2)

through 2 with exhibits, if any, for a total of 3 pages, is granted. Motion Docket Entry No. 15

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DATED: June 05, 2010

Signature by the attorney constitutes a certification under
Fed. R. of Bankr. P. 9011 that the relief in the order is the
relief granted by the court.

Submitted by:

PITE DUNCAN, LLP

(Firm name)

Judge, United States Bankruptcy Court

By: /s/ Erin L. Laney (CA SBN 259863)

Attorney for Movant

ORDER ON NON-CONTESTED MOTION FOR RELIEF FROM AUTOMATIC STAY ON REAL OR PERSONAL PROPERTY
DEBTOR: Stephanie K. Butticci and Jim R. Arias
CASE NO.: 10-06088-PB7
RS NO.: PD-1

The Motion of The Bank of New York Mellon, fka The Bank of New York as Successor in interest to JP Morgan Chase Bank NA as Trustee for Structured Asset Mortgage Investments II Inc. Bear Stearns ALT-A Trust 2005-3, Mortgage Pass-Through Certificates, Series 2005-3

("Movant"), for relief from the automatic stay having been filed with the above-entitled court on May 10, 2010, and

The Notice of Filing of a Motion for Relief from Automatic Stay (a file-stamped copy of which is attached hereto as Exhibit A OR Notice Docket Entry No. 16, if filed electronically), the Motion, and accompanying Declarations having been served upon the parties named below on May 10, 2010, and

- ☒ Debtor (Name): Stephanie K. Butticci and Jim R. Arias
☒ Debtor's Attorney (Name): David G. Weil
☒ Trustee (Name): Leslie T. Gladstone
☒ United States Trustee (in Chapter 11 & 12 cases), and
☒ Others, if any (Name): Lienholder
Indymac Bank

No objection or Request for Hearing having been filed by or on behalf of the Debtor, IT IS HEREBY ORDERED as follows:

The automatic stay pursuant to 11 U.S.C. Section 362 is hereby terminated for all purposes as to Movant in connection with the estate's and the debtor's interest in

1. ☒ The following real property:
a. Street address of the property including county and state:
1773 Clefa Drive, Reno, Nevada 89509
b. Legal description is ☐ attached as Exhibit B or ☒ described below:
SEE LEGAL DESCRIPTION ATTACHED HERETO AS EXHIBIT A AND MADE A PART HEREOF
2. ☐ The following personal property as described ☐ below or ☐ in Exhibit B attached:

IT IS FURTHER ORDERED that (Optional):

The 14 day stay provided by Bankruptcy Rule 4001 (a)(3) is waived; This Order shall be binding and effective despite any conversion of this bankruptcy case to a case under any other chapter of Title 11 of United States Code; Movant may offer and provide Debtor with information regarding a potential Forbearance Agreement, Loan Modification, Refinance Agreement, or other Loan Workout/Loss Mitigation Agreement, and may enter into such agreement with Debtor. However, Movant may not enforce, or threaten to enforce, any personal liability against Debtor if Debtor's personal liability is discharged in this bankruptcy case; This Order shall be binding as to The Bank of New York Mellon, fka The Bank of New York as Successor in interest to JP Morgan Chase Bank NA as Trustee for Structured Asset Mortgage Investments II Inc. Bear Stearns ALT-A Trust 2005-3, Mortgage Pass-Through Certificates, Series 2005-3.

Exhibit A

3134513
11/29/2004
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LEGAL DESCRIPTION

The land referred to herein is situated in the State of Nevada,
County of Washoe, described as follows:

PARCEL 1:

Situate in the Southwest 1/4 of Section 15, Township 19
North, Range 19 East, M.D.B.&M., being more particularly
described as follows:

COMMENCING at the Northeast corner of the Southwest 1/4 of
the Southwest 1/4 of said Section 15, as shown on Record of
Survey Map, filed as No. 197893; thence South 78°06' West
979.84 feet; thence South 51°25' West, 162.00 feet to the
place of beginning for this description; thence South
51°25' West, 65.0 feet; thence South 89°18' West, to the
Lake Ditch; thence along the Lake Ditch North 1°13' East,
208.79 feet; thence South 76°27' East 35.0 feet; thence
South 26°28'30" East, 177.79 feet to the place of beginning.

PARCEL 2:

A 14 foot roadway as shown on the map of TENGANA VIEW
SUBDIVISION, filed in the office of the County Recorder of
Washoe County, State of Nevada, on October 4, 1955, under
File No. 251567.

PARCEL 3:

An easement for vehicular and pedestrian ingress and egress
and construction and maintenance of utility purposes as set
forth in an instrument recorded March 3, 2000 as Document
No. 2432133, Official Records.

APN: 010-430-02

Document Number 2365355 is provided pursuant to the
requirements of NRS 111.312